

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

United States of America)

v.)

Christopher Wayne Turner)

Case No: 5:04-CR-86-1H

USM No: 24044-056

Date of Previous Judgment: October 11, 2006)

(Use Date of Last Amended Judgment if Applicable))

Defendant's Attorney Thomas P. McNamara

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgement issued) of 70 months is reduced to 60 months*

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 25

Amended Offense Level: 23

Criminal History Category: III

Criminal History Category: III

Previous Guideline Range: 70 to 87 months

Amended Guideline Range: 60 to 71 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain) :

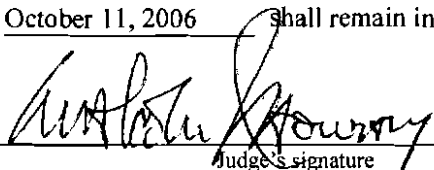
III. ADDITIONAL COMMENTS

*If this sentence exceeds the amount of time the defendant has already served, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

Except as provided above, all provisions of the judgment dated October 11, 2006 shall remain in effect.

IT IS SO ORDERED.

Order Date: 3/3/08


Judge's signature

Effective Date: _____
(if different from order date)

Malcolm J. Howard, Senior U.S. District Judge
Printed name and title